

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,	)	
	)	
v.	)	Magistrate No. 03-1770-CBS
	)	
TODD SHAYS,	)	
	)	MBD No. _____
Defendant.	)	

**THE PARTIES' JOINT MOTION TO EXCLUDE TIME**

Defendant Todd Shays is currently charged by way of a criminal complaint with possession of a controlled substance - to wit, cocaine, in violation of Title 21, United States Code, Section 844(a). The Parties jointly move, pursuant to 18 U.S.C. §3161(h)(8)(A) and Section 5(c)(1)(A) of the Plan for the Prompt Disposition of Criminal Cases of the United States District Court for the District of Massachusetts, that this Court enter an order that an additional period of twenty-one (21) days, from May 5, 2004 (expiration date of court's previously entered order on exclusion of time), to and including May 26, 2004, be excluded under the Speedy Trial Act from calculation of the time within which an indictment or information must be filed under 18 U.S.C. §3161(b).

As grounds therefor, the Parties state that discussions between the defendant and the government have been on-going in an effort to resolve this criminal proceeding by agreement of the parties, and that it is hoped that the additional time requested

herein will permit the parties to reach an agreement before the government is required or inclined to seek an indictment.

WHEREFORE, the Parties respectfully requests, under 18 U.S.C. §3161(h)(8)(A), and §5(c)(1)(A) of Plan for Prompt Disposition of Criminal Cases of this Court, that this Court find, based on the above, that the ends of justice served by granting the requested exclusion of twenty-one (21) days outweigh the best interest of the public and the defendant in a speedy trial, and, accordingly, exclude twenty-one (21) days in computing the time within which an information or an indictment must be filed under 18 U.S.C. §3161(b).

Respectfully submitted,

COUNSEL FOR DEFENDANT  
TODD SHAYS

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Dated: April 30, 2004